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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/018,408

12/13/2001

So Takeyama

F-7249

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12/02/2003

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EXAMINER

NGUYEN, KIM T

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,408

Applicant(s)

TAKEYAMA ET AL.

Examiner

Kim Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001 and 11 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

The preliminary amendments filed on December 13, 2001 and April 11, 2002 (paper Nos. 3 and 4) have been received and considered. By the amendments, claims 2-7 have been canceled, and claims 1 and 8-13 are now pending in the application.

Claim Objections

1. Claims 1, 8-13 are objected to because of the following informalities:
 - a) In claim 1, line 6, the claimed limitation "a screen" should be corrected to "the game screen".
 - b) In claim 1, line 11; claim 12, line 5; and claim 13, line 6; the claimed limitation "the number of lines" should be corrected to "a number of lines".
 - c) In claim 15, line 15; claim 11, lines 2-3; claim 12, line 8; and claim 13, line 9; the claimed limitation "a player" should be corrected to "the player".
 - d) In claim 1, line 28; claim 12, line 20; and claim 13, line 22; the claimed limitation "the diagonal direction" should be corrected to "a diagonal direction".
 - e) In claim 8, line 5, the claimed limitation "a direction" should be corrected to "the direction".
 - f) In claim 9, lines 2 and 3, the claimed limitation "a dividend" should be corrected to "the dividend".

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- g) In claim 10, line 10; and claim 11, line 4; the claimed limitation “a game” should be corrected to “the game”.
- h) In claim 12, line 11, the claimed limitation “the line is set” should be corrected to “the lines are set”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 2. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - a) In claim 1, lines 17-18; claim 8, line 5; claim 12, lines 10 and 21; claim 13, lines 11 and 23; the claimed limitation “the above line” is ambiguous. It is not clear if “the above line” refers to the “effective line” or the “plurality of lines”.
 - b) Claims 9-11 are rejected as being dependent on the rejected base claim.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihito (Japan Publication No. 09-220,369) in view of Takemoto (US. 5,890,962).

a. As per claim 1-9, Yoshihito discloses a game system comprising a display unit, an input unit, and a game controller for executing a card game using playing cards (Fig. 1); the game controller includes a card deciding device, a betting device, a dividend controlling device for controlling a dividend for the player according to a combination of the cards (paragraphs 0024 to 0034). Yoshihito does not disclose displaying a plurality of symbols in a matrix shape, allowing the player to set a number of lines as an effective line, and controlling a dividend according to the selected paylines. However, Takemoto discloses a symbol deciding means for displaying a plurality of symbols in a matrix shape, a betting means for allowing the player to set as many lines as the play value set by the player, and a dividend controlling means for controlling a dividend for the player according to a combination of the symbols on the selected paylines (Fig. 1; col. 10, line 29 through col. 15, line 36). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the symbol deciding means, the betting means, and the dividend controlling means of Takemoto to the game system of Yoshihito in order to allow the player to have a plurality available paylines to select.

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b. As per claim 10-11, increasing the probability chance of winning according to a designer's preference requires only routine skill in the art.

c. As per claim 12-13, refer to discussion in claim 1 above.

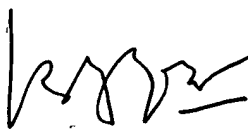
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 8:00AM to 5:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The central official fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.

kn

Date: November 28, 2003


KIM NGUYEN
PRIMARY EXAMINER